DAILY Per Month ..

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Arsociation at 170 Nassau street, in the Borough of Manhattan, New York. ----

An Unfortunate Judicial Outburst. At a public dinner in this city on Monday evening, that conservatism, propriety and reserve in speech which ought to characterize the judicial office were preme Court in this judicial district, who for carfare. presided over the second trial of NAN PATTERSON for the crime of murder in

the first degree. "In the second trial before me," said Judge Davis in this after dinner speech to an association of law students, "the dequite obvious that she was telling falsehoods from the beginning to the end. The very air seemed charged with the fact | MEYERS will not be able to work any that she was lying."

Heretofore it has not generally been deemed decorous either in England or in of crime. Occasionally a verdict bered: jurors from the bench, but outbursts of unwarrantable by the more soberminded and thoughtful members of the bar. It is the function of the jury under our system of criminal jurisprudence to convict the defendant, if he is to be convicted at all, to the secretary: and the Judge has no more right to find fault with the jurors for refusing to convict than the jurors have to find fault with the Judge's instructions as to the rules of law which should guide them in their determination of the case.

Mr. Justice Davis, however, has gone much further than those Judges who have merely manifested their displeasure, on the spur of the moment, at the rendition of an unexpected verdict. He has publicly declared that a woman accused of the gravest crime known to our law has repeatedly committed perjury in order to save her life; and he makes this declaration, with all the weight of his high judicial position to support it, not after an acquittal, but knowing that under the law she may again be put upon trial for the for services of this kind would put same crime! Of course, this is not likely prices up. to happen; but nevertheless it is a legal possibility, and one which ought not to be ignored by a Judge

But Mr. Justice DAVIS entertains almost as unfavorable an opinion of this community as he does of NAN PAT-TERSON herself. He asserts not only that she lied, but that the New York public knew that she was lying and wanted her to profit by so doing. This passage from his address is not susceptible of any other interpretation: "Yet she was a woman. She was young. It was natural the public should sympathize with her. People seemed to know that she was not telling the truth. and the great public of New York said: 'Why shouldn't she lie? Let her lie. Let her get the benefit of her lies.' "

This is a pretty severe indictment of the community which chose Mr. VERNON M. Davis to be a Justice of the Supreme Court. We do not believe the New York public is so bad as that. There may have been too much sentimental sympathy with NAN PATTERSON, but so far as there was a desire for her acquittal it was based upon the general impression that the evidence against her did not suffice to warrant a conviction. We have not yet reached such a depth of degradation that the people wish a murderess to escape punishment by means of false swearing.

The regrettable truth is that Mr. Justice Davis talked not wisely but too much at the Phi Delta Phi banquet on Monday evening. For several years to come it would be well for him to keep constantly in view one of those large placards which ornament public libraries and other places where reading and meditation are cultivated, and which bear the significant admonition: Silence

Cheap "Entertainment " in Chicago. April 1 the Carriage and Wagon Workopen shop was the only question. Only the men were not in favor of the strike.

MEYERS must have been a vain or foolhardy man. He knew that the union judgment from public opinion, recognizin the matter, it must be he.

The evening of April 13 MEYERS left the shop and started for home, where he had "a wife and child waiting for him." right to marry has a man who breaks est gleam of unselfishness, he doesn't

home, three men, an "entertainment" committee, entertained him. One committeeman hit him with a club, fractur- more be officer of mine." ing the skull. Then the entertainers jumped on him, grinding their heels into his face and body. MEYERS had fought pleasant for her, but there are obligations and unions more important than

The detectives would have done well to this question is concerned with the rules had brought MEYERS to the open grave. Justice was satisfied.

facts as to the economic side of crime agents of the union, who were hired to slug MEYERS were arrested. The exof the union caused the arrest of these the members of the executive committee of the Carriage and Wagon Workers' Union; and the president of that philanthropic institution cannot be found. Possibly he has fled malicious persecution. The business agent says:

"After some discussion the [union] committee decided to offer \$50 for 'educational purposes.' " A list of names was made up by the committee of men to be slugged. At the head of the list was the name of CARLSTON. That was the name we signally disregarded by the Hon. VERNON knew him [METERS] by. The list was given to M. DAVIS, one of the Justices of the Su- Gilhooler that night. He was given \$2 as a starter

"The day after CARLSTON was done up I met GILHOOLEY, and he said:

" Well. I got that fellow CARLSTON last night He put up an awful fight and kicked me in the shin. The bone is splintered, and I must see a doctor about it. He fought like h--- , and we were obliged to throw the boots into him. We done him fendant went on the stand, and it was up good, and I don't think he will be able to work any more

Right. That fellow CARLSTON or more.

The secretary of the union offered one of the sluggers \$8 for educating and enthis country for a Judge to denounce a tertaining MEYERS. The spirited reply defendant whom a jury has refused to of the slugger deserves to be remem-

"You fellows ought to be willing to give me \$15 for that job. Other unions that I do work for give this kind have usually been criticized as | \$15 for a knockout, and by --- you'll have to give me \$15 for doing up that fellow. It was worth it, and cheap at that price."

> It was worth \$25 at least. These gentlemen are specialists. One of them said

" There is no use of you fellows blacking the eyes of those fellows working there," meaning the nonunion men employed at the Woods factory. "We have been hired by the woodworkers and different organizations for doing that kind of work. Do ou want to make arrangements with us to do that kind of work for your union? You fellows are known and we are not. In case you fellows smash any of the 'scabs' you run a risk of getting

Very properly, the executive committee made the necessary arrangements gers get \$2 as a retainer and \$13 when they have "done" or "fixed" their man.

should suppose that the great demand to 1860.

The Loomis-Bowen Affair.

It is satisfactory to learn that until Secretary TAFT has reported the outcome of a careful investigation of the matter in dispute between Mr. Bowen, lately Minister at Caracas, and Assistant Secretary of State Loomis, no action will be taken by President ROOSEVELT in the premises. The issues have been narrowed to a question of fact and to a question of diplomatic usage.

Venezuela, accepted a bribe from the New York and Bermudez Company That charge was some time ago made the subject of rigorous inquiry, and has proved to be entirely without foundation. So far as this accusation is concerned, the minds of Secretary TAFT and President ROOSEVELT are believed to be made up. Ex-Minister Loomis did not receive money improperly from the corporation mentioned. The only atom of basis for the allegation is that at Caracas he exchanged his personal check for a draft drawn by a representative of the New York and Bermudez Company. That is a perfectly legitimate accommodation, frequently sought by the diplomatic representatives of our Government, where the rate of exchange between the countries to which they are accredited and the United States is excessively high, not to say exorbitant. Some minor criticisms on Mr. LOOMIS were also examined by Secretary HAY

and found to be equally unsubstantial. The question of fact which Mr. Bowen will be called upon to answer is whether he is personally responsible for the publication of the charges against his predecessor at Caracas in Venzuelan and American newspapers. It is obvious that, even if there were strong prima facie evidence that they were well founded, it was not the business of an American ers' Union of Chicago called a strike in Minister to instigate the public ventilathe Meekel Wagon Works: There was tion of imputations on the character of a no dispute about wages or hours. The fellow diplomat. Even in private conversation his lips should have been three of some forty men "went out." One sealed pending the announcement of a MEYERS or CARLSTON, described as one decision by his official superior, because of the best workmen in his trade, headed | it is of national importance that the repua committee which called on the proprie- tation of American diplomacy should be tor of the wagon works and told him that spotless. Far from aiding, it was his duty to repel the attempt of personal enemies of his forerunner in office to secure a snap would discipline him. The union did ing that it was primarily the function of discipline him. If anybody is to blame our Secretary of State to scrutinize the acts and character of the State Depart-

ment's representatives. As regards then the question of fact, should the investigation conducted by This sentimental touch is not ours. What Judge TAFT, as Acting Secretary of State, show that the circulation of calumnious the commandments of the union? None charges against Mr. Loomis was instiwhatever. His life is too precarious. If gated or countenanced by Minister "Pantorium" in Newark. Shirtoriums, Unhe has any sense of decency, any slight- BOWEN, the latter must be pronounced disqualified for a position in our diplomatic service. It is understood that Near the door of his "home," if a crim- Secretary TAFT is an old friend of Mr. inal and outlaw can be said to have a Bowen. Nevertheless, we may take for granted that, in the case supposed, he will say to him: "I love thee, but never

But how, it may be asked, is the State Department to learn that there is anything to be investigated? This inquiry the best he could. He also yelled. His, brings us to the question of diplomatic wife came out and found him smashed usage. Assuming that he had nothing and unconscious on the sidewalk. Un- to do with the publication of the charges against his predecessor at Caracas, shall we say that it was Minister Bowen's duty marriage. When MEYERS came to his to bring them in a colorless way to the senses he described his sluggers to the knowledge of our State Department, or the woods in 1904 are expected this fall, and He had "got what was coming to him." | cial or confidential reports? Manifestly, | cial or confidential reports. | cial or confidential reports | cial or confiden

let the case rest there. The open shop and customs to which American diplomatists are expected to conform. The rules no doubt have been formulated, Still, the impertinent curiosity of the and probably the customs. also, have detectives has revealed some interesting | been defined with more or less precision. It is plain, however, that a certain amount against the union and punishment there- of latitude must be conceded to a Minisfor. The three gentlemen, non-union ter's discretion. He would not, of course, be expected to transmit, even in confidential communications, every bit of cessive frankness of the business agent | mischievous gossip concerning his predecessor that might be current in a foreign gentlemen, of the secretary and of one of , capital. No honorable man would be guilty of such retrospective espionage. It is nevertheless not quite incrediblethere are a few regrettable examples in the history of American diplomacythat one of our representatives abroad might be justly taxed with conduct so reprehensible that neither the American people nor our State Department would for a moment tolerate it. In such a case the imputation should of course be reported. Evidently, therefore, it lies within the discretion of a Minister to decide whether imputations on the behavior of his predecessor are serious or frivolous-seemingly well founded or baseless-and only in the former dise to bring them to the knowledge of the Secretary of State. Upon no other theory of the relation between a Minister and his predecessor in office on the one hand, and the State Department on the other, would our diplomatic service be endurable for self-respecting men.

A Competition to Be Encouraged.

The old Know Nothing movement of the middle of the last century received its impetus from the then relatively great immigration from Ireland and from Germany. Up to 1845 the immigration to years from 1845 to 1851 the arrivals were about four hundred thousand more than years thereafter they aggregated about a million and three-quarters.

Something like terror began now to possess a great part of the native American population. The short lived Know Nothing movement was the consequence, and it is noteworthy that its survival was longest at the South, the part of the Union of the District Attorney, indicted for conthen and since only slightly affected by the incoming of the foreigners.

Now there is proceeding an immigration of foreigners which is far greater in volume than that which at that period made so violent an excitement. Merely stated that they had ample evidence to secure in the five years from the beginning of the conviction of the Smiths for conspiracy for discipline. If we understand the in the five years from the beginning of custom of the trade, the slugger or slug- 1901 to the close of 1905 the arrival of immigrants will amount to about four millions, or nearly as many as came Surely a moderate compensation. We over in the whole period from 1820

Again, therefore, cries of alarm at the consequences of such an inpouring of foreigners are heard. In the period between 1850 and 1860 the population of the city of New York increased at a far more rapid rate than ever before. It rose from 515,547 to 805,651. What will be the result as concerns our population of the present vastly greater stream of immigration, of which the volume since the beginning of this year alone has been more than three hundred thousand?

Moreover, the immigrants now arriving are much more disposed to remain in this city than those who came over The question of fact is no longer whether Mr. Loomis, when Minister to fifty years ago, at which time they tended very largely to the West. The greatest body of the present immigrants are Italians and Jews, both of which races | hous cling to this port in large part. If the experience of last year is repeated, as is not improbable, the population of this town will be increased during 1905 by more than three hundred thousand im-

Accordingly, the problem now under most serious consideration is to devise some practicable scheme for the wider distribution of immigration through the Union. The South especially wants more of the stream to be diverted thither, and State and railroad bureaus of immigration are working together to that end. Their success will depend chiefly on their offering sufficient wages for labor to attract immigrants, and they will have to compete with the scale of wages prevalent at the North. Naturally, if the newcomers remain in New York it is because they can make more money here, and the remaining of a large percentage of the great number now arriving suggests that here the demand for their labor at the prevailing rate of wages is great, or that their prospects of getting ahead here are better than elsewhere. They stay where they are wanted, more especially when the place is one in which they find large communities of their own races; and New York. of all America, offers them this attraction most. Next to Naples, it is now the greatest Italian city in the world. It contains more Jews than were ever gathered together in a single community in the history of mankind.

The South and any other part of the Union which wants to get the incoming immigrants will have to compete with these advantages offered by New York. We hope they will be successful in the competition. New York is now getting more immigrants than are desirable for its social and political needs, and we will gladly spare the most of them for the benefit of the Southern or any other States which want them.

We love to see the English language grow. In Norfolk there is a "Suititorium," where "anything in the clothing line" is cleaned and pressed. There is, or was, a dershirtoriums, Cufforiums, Collarori ms have been born or will be. Not for naught No. no! Besides, Dithyramb Dick's hatred is the country filled with a ditoriums

ber of deer killed in 1904 in the Adirondacks would be far below the average, but these presentiments were unfulfilled. The tenth annual report of the State Forest, Fish and Commission shows that 1,618 carcasses, 124 saddles and 152 heads were shipped out of the wilderness by two express companies, or more than in any year since 1899 except 1903. The hunting conditions were unusually bad last fall, and the success of the sportsmen was therefore much greater than had been expected. The hunting this year promises to be excellent. Many sportsmen whe did not visit

THE PATTERSON TRIAL. The Extraordinary Comments on the Case Extracts From a Letter Written in April by Justice Davis.

To the Editor of The Sun-Sir. In an after dinner speech delivered on Monday evening before the Phi Delta Phi Club, an association of young lawyers, Mr. Justice Vernon M. Davis, who presided at the second trial of Nan Patterson for the murder of Cmar Young, at which the jury disagreed, gave his impressions of the case. It was a remarkable exhibition of judicial candor, to

Justice Davis defended the prosecution of the case, which has been the subject of much hostile criticism, and declared that a majority of the people who followed the testimony believe that the pistol which killed Young was held by Nan Patterson, was discharged by her and was bought for Nan by her brotherin-law, J. Morgan Smith. Justice Davis ex-plained that he did not mean to say that Nan Patterson took the pistol from the reticule and shot Cæsar Young in the side, but he did believe that she had the pistol and showed it to Young and that in the course of the conversation and consequent struggle the pistol went off and the man was killed.

That Justice Davis has stated this matter correctly is probably the opinion formed by most people regarding this celebrated case; and is it not probable also that if the prosecution had adopted in fact the theory of the case as outlined by Justice Davis and presented it in the calm, dignified and judicial manner that becomes a public prosecutor, a conviction of the woman of manslaughter in the first degree or perhaps one of the minor degrees of murder would have resulted?
The trial of Nan Patterson is not an isolated instance of the gross overtrying of such cases. For years that fault has been the subject of adverse comment among members of the bar and thoughtful people generally.

and more especially among the Judges of our Appellate courts. The desire of the prosecutors has seemed to be to strain for a conviction in the most urgent manner, the aim being, apparently, more at personal glory than anything else, and the result has been, as everybody cognizant of the history of great criminal cases in this country in recent years knows, that reversals by the Court of Appeals of convictions in these cases have been frequent. And these rethis country since 1820 had amounted to only about a million. In merely the six lar sympathy will be excited for the deverse from 1845 to 1851 the arrivals were part of District Attorneys and trial Judges, there is a disregard of the safeguards that during that entire period. In the five are thrown by the elementary principles of the law around prisoners on trial for their lives or liberty.

One instance and only one may be cited of the way things went on in the Nan Patterson case. It was thought essential to obtain the presence here of J. Morgan Smith and his wife as witnesses at the trial, and these individuals were in the State of Ohio. Smith spiracy, and the statement was made, according to newspaper accounts published at the time, that in asking the Governor of this State for the issuance of a warrant of extradition for the Smiths, and also in asking the Governor of Ohio to honor this extradition warrant, the agents of the District Actorney and that the object of the proceedings was a bona fide effort to try them for conspiracy and not merely to secure their presence here as witnesses at the Nan Patterson trial. When, however, the Smiths were brought here and the question of what was to be done with them became acute, it was discovered that there was absolutely no evidence to support the charge of conspiracy, and a Judge of the Court of General Sessions, in dismissing the indictment against them, denounced the entire proceeding as totally unwarranted.

NEW YORK, May 16. THE GLORIES OF CENTRAL PARK Remin'scences and Predictions of an Old Timer.

TO THE EDITOR OF THE SUN-Sir: At the risk of being classed as a narrowminded, dull and unprogressive "buzzer" by Mr. R. B. Roosevelt, I would like to say a word about Central Park

thought as making it a park was entertained I was brought up in the Eleventh ward, but frequently went "out of town" to visit some boys who lived at Striker's Bay, and a favorite trip of ours was to go over to the block-

On one visit to a part of the city now known shanties and pigs, we ran across some workmen laying the foundations of a building which, by its peculiar outlines, seemed like be an arsenal, and it was, in fact, what to-day e call the "Old Arsenal." This was in 1848. Ten years later I took my firstborn to the Central Park for an airing, and saw the planting of the double rows of elms since bordering the Mall.

the park in beauty, and while I have since seen the parks of Great Britain and France, I've seen none to my mind so attractive In those early days the Berkshires, Saratoga and Newport were not talked of. year between those places and Europe.

I watched the growth and progression of

The Mail, on a Saturday afternoon, when Harvey Dodworth's band was playing, was a lounging and meeting place of the best New York society.

Now our "best society," or what supposes itself to be the best, goes to the resorts I have mentioned, and the park is practically given over to those miserable people the "working classes," and where we used to have a hundred around the band stand we now have a thousand, and not one of them with a gun on his shoulder looking for a chance to shoot birds in a public park.

sand, and not one of them with a gun on his shoulder looking for a chance to shoot birds in a public park.

I am glad Nr. Roosevelt admits that "the park was made for the people," and beg to assure him that "the people," and beg to a source him that "the people," and he people, "and he people, "and he people, "and the park is a good argument that in twenty-five years the city will grow away beyond the park is a good argument in favor of the new parks in the annexed district, but Mr. Roosevelt is in error if he thinks business is driving the population beyond the park. The population grows in that direction, to be sure, and there are good reasons for it; but there is a greater population to-day below Fighty-fourth street, the median line of the park was laid out, and a very large percentage of it cannot go to Furope, Lenox or Newport.

A great many people have tried to get a chance to "improve" the park in our day, but, thank heaven, have generally been headed off, and children will continue to play there, in time to "spoon" there, and, finally, take another generation there to repeat the routine, God willing, for many years to come.

New York, Mey 16.

NEW YORK, May 16. To the Editor of the Sun-Sir: While in Hagerstown Friday I was pleased to see improvements in Pilduzer Park, the home of our old friend

"Dithyramb Dick." A new plateglass front has been built in the Mail office and a large press installed in the front so all can see the papers come "hot from the press." Dick looks well and is growing stout. HUNTINGDON, Pa., May 15. THOMAS O'BRIEN.

We cannot and will not believe that that sublimest son of song needs to bant. He feeds on gos:amers stewed in moonshine. His drink is honeydew. He carries tre-mendous weight, but 'tis all in his head. of a soul all fire and air.

Fear for the Russian Jews. TO THE EDITOR OF THE SUR -Sir: I fear the ne privileges granted to the Jews in Russia may, in some respects, do them more harm than good. They will now be allowed to compete in business

with the Russians proper more than they did: and this extra competition will make them more unpopular—as the opposition to the Jews there, and everywhere else, is entirely an economic, not a E. H. J. NEW YORK, May 16. has to leave for work before nine.

The June Delineator contains a complete sum mary of the season's styles as well as all the latest news from the world of fashion. Weymer Jay Mills contributes the first of a series of "Romances of the Summer Resorts," and F. Berkeley Smith's description of "A Corner In Old Normandy" is another noteworthy feature. The number contains RUSSIA OF TO-DAY.

by Sir Howard Vincent. From the London Spectator.
You ask for my impressions of Russia to-day. It is well that you emphasize the last word. The situation may change at any minute. No man can forecast it. But this is my view "to-day"

St. Petersburg is nearly as safe as London. People so about their ordinary business in their ordinary way. The war, its effect and its cost are not seen, save in a Red Cross collecting box on each restaurant table. People talk and write about the war less than in Paris. There is no running after news. Social functions are certainly suspended; but that fills the theaters to overflowing, save in this, Passion, week, when fasting, confession and prayer reign in Orthodoxy. Gen. Trepoff is calm, cool, courageous and energetic. There are few special police precautions "visible. At his own office there is a single constable. Nor in the streets are more than usual to be seen. There are 700 fixed points in St. Petersburg, requiring 2,100 men for three reliefs. This leaves only 900 police out of the total force of 3,000 for other duties, sick, &c. There are consequently few police patrols, and military assistance has to be invoked if the slightest extra force is required. It is in all countries bad and untrustworthy in dealing with a crowd. Serious crime is, however, rare, thanks largely to the licensed dvorniks, house porters.
The city artisans in large part are only tem-

with a crowd. Serious crime is, however, rare, thanks largely to the licensed dvorniks, or house porters.

The city artisans in large part are only temporary sojourners from the country. Throughout the long snowbound winter the wives and sisters of the peasantry spin and look after the stabled cattle, and the men return with (or without) their town earnings for the plowing, the sowing and the reaping. The strikes, which were almost wholly political, have brought about an average reduction of hours to ten and a half, with an increase of 10 per cent, in wages. The economic situation of some houses has not been able to accept this increased cost of production, with the reduced efficiency due to agitation and unrest, and they have shut down. Their men have gone or been sent back to the villages, for the busy time in agriculture is close at hand.

I do not find one single Russian in favor of peace, save on terms not likely as yet to be possible—no lôse of territory and, above all, no indemnity. Even M. Witte, the statesman in whom popular hope for the future lies, who was known to be opposed to the occupation of Manchuria and Port Arthur and to the war, and who, like Count Lamsdorff, makes no secret of his desire for peace, would never consent to the paying, for the first time in the Empire's history, of an indemnity. Russia, it is urged, has been accustomed to defeat in the earlier stages of a campaign and to a subsequent change in the fortune of war. Every one believes that history will repeat itself. Much depends on Admiral Rojestvensky. The successful conduct of his fleet to the China Sea against the opinion of every haval expert in Europe, to say nothing of the Admiralty in St. Petersburg, encourages the Russian trust that the tide will turn.

No want of money is as yet apparent. I have myself seen and handled a thousand million rubles of gold reserve in the State Bank. There are many virgin resources yet open to the Minister of Finance before he says to the Emperor: There must be peace, because I can find no m

THE FORCES IN MANCHURIA. Russian Diffusion of Responsibility, and

the Japanese Compact Organization. To the Editor of The Sun-Sir: One of the weakest points in the organization of the Russian army in Manchuria has been brought out through the publication of some of Gen. Kuropatkin's memoranda on the subject. The lesson conveyed is, moreover, one worth regarding by other armies. One of the greatest complaints made by the Russian commander-in-chief was the multiplication of units for which he had to find places in his scheme of operations, instead of receiving reenforcements in bulk which he could distribute as required among the more or less attenuated units composing his brigades and divisions, thus keeping them always at their

normal war strength. Every officer who has commanded troops the field knows how essential it is in planning operations to have his battalions up to their fell complement and the responsibility in command as little diffused as possible. From the reports of Gen. Kuropatkin and the recently published interview with his successor, Gen. Linjevitch, it has become apparent that the defeat at Mukden was as much due to the inefficiency of battalions through excessive attenuation from various through excessive attenuation from various causes and the multiplicity of commands as to anything else. Battalions ran from a few hundreds up to their full strength, regiments in some cases having barely the strength of one battalion. The consequence was the weakening of the responsibility of command in a given area when a number of broken up regiments were allotted to do the work of a direction conversed of less than helf the number. vision composed of less than half the nun

ber.

There is nothing that gives more confidence to the commander of a force than to know exactly the measure of the power he wields, whether it be that of a battalion, regiment, brigade, division or corps. The striking force of a single battalion, a theusand strong, skilfully handled by one man, is immeasurably greater than that of, say, two or three broken battalions under separate leaders. The same tule applies to the larger units of The same rule applies to the larger units of

The same rule applies to the larger units of command.

So well have the Japanese understood this that the first care of their War Department after each of the great battles has been to bring at once the companies in their battalions up to full strength, so that in their combinations the Generals in command of the different armies needed only to know how many battalions they controlled, and not whathar their were so many man in one or the different armies needed only to know how many battalions they controlled, and not whether there were so many men in one or more or less in others in order to send a given number on any particular duty.

The Russian army, on the other hand, was made up of armies of varying force, running from a hundred thousand down to about half that number of men: and as a rule the smaller the number the greater the variety of units under scrarale command. In all probability it will be found, when the history of the war comes to be written, that the principal reason why Gen. Kuronatkin gave so much time and attention to details was the excessive diffusion of responsibility and the heterogeneous character of the units under his orders. Such a condition of things was faral to success in the face of an army composed and commanded as was the Japanese.

It would seem that Gen. Litjevitch is endeavoring to bring some order out of the chaos existing when he took over the supreme command, but the reorganization of a bedly defeated army in the middle of a war with a foe like the Japanese does not promise much success.

The last Japanese estimate is that at the

The last Japanese estimate is that at the middle of April the Russians had something more than 400.000 men east of Lake Baikal.

New York, May 15.

TO THE EDITOR OF THE SUN-Sir: I have read with pleasure the letter of Mr. J. B. Carrington in THE SUN of to-day on the birds in Union Square and am glad that they are being observed by others In City Hall Park one day last week I saw, at one

time, a pair of brown thrushes (or thrashers, as they are called in the country), a pair of chewieks, a wood thrush, a titlark and an oriole. These varieties, with others still more rare, may be seen occasionally almost every May as they stop here to feed while on their way to their permanent homes. I account for their presence by the fact that the soil of the park is so richly fertilized and overflowing rith insects and worms.

It is surprising how few people of the many thou-

sands passing by or through the park have any knowledge of the presence of these rare visitants. BROOGLIN, May 15. E. R. HYATT. Definition of "A Gentleman.

To the Editor of The Sun-Sir: "Agog" has asked you for a definition of the word gentleman. I offer him an opinion on that question which was given us by a servant we tried to engage. We told her that we must have breakfast at 7:30. She remarked with some disdain that no gentleman has to leave for work before nice.

Habit in Heaven. Spirit-But I thought there wasn't to be any St. Peter-Oh, that's just a New Yorker tearing up the street in front of his mansion; says he wants

CRONK'S BODY TO LIE IN STATE GETS ALL OF G. W. KIDD'S ESTATE. In the City Hall Near the South Door-The

Building Draped in Black. The body of Hiram Cronk, the last sur vivor of the War of 1812, will lie in state today in the City Hall. It will be placed just inside the southern entrance to the building. The public will be admitted to view the body. The interior and outside of the City Hall have been draped in black. The Aldermen, at their meeting yesterday, appropriated \$3,000 to pay for this

draping, for carriages for the Aldermen

day, appropriated \$3,000 to pay for this draping, for carriages for the Aldermen and for other expenses.

Col. Richard F. Butt, commander of U. S. Grant Post, 327, G. A. R., the grand marshal in charge of the arrangements, issued yesterday these orders:

"The escort will consist of United States Regulars from Governors Island, the Military Society of the Order of 1812, Veteran Artillery Corps of the State of New York, U. S. Grant Post, No. 327, Department of New York, G. A. R., and the Washington Continental Guard; and I hereby cordially invite all civic organizations who may desire to participate in the last honors to this old hero to report to me at the Grand Central Station, Forty-second street and Park avenue, New York, on Wedneeday morning, May 17, at 9:30 o'clock, to be assigned position in the line of march."

The route will be as follows: From Grand Central Station to Fifth avenue, through Washington Arch to Fourth street, to Broadway, to City Hall, where the remains will lie in state for twenty-four hours, when the line of march will be again taken up to Cypress Hills Cemetery in Brooklyn, under the escort of the Fourteenth Regiment of Brooklyn, Col. Ardolph L. Kline commanding, and a troop of cavalry, all of the Second Brigade, N. G., N. Y.

UTICA. May 16.—Funeral services over the boddy of Hiram Cronk, the last survivor of the War of 1812, were held at the Cronk homestead, on the hills of Dunnbrook, at 1 o'clock this afternoon. Many members of the Boonville Post, G. A. R., were in attendance. The services were conducted by the Rev. W. C. Kingsbury of Boonville.

Following the services, the body was taken to Boonville, and from 5 to 7 o'clock this evening lay in state in G. A. R. Hall. The body arrived in this city shortly after

this evening lay in state in G. A. R. Hall.
The body arrived in this city shortly after
o'clock to-night and was transferred to

a New York Central train for New York.

A crowd of curious persons awaited the arrival of the veteran's body at the local arrival of the veteran's body at the local station and watched its transfer from one train to the other. Mrs. C. L. Morehouse of New York, a representative of the United Daughters of the War of 1812, and Richard F. Butt of New York, superintendent of Cypress Hills Cemetery, together with Cronk's daughter and son, accompany the body. oody.

FIGHTING 14TH GRUMBLES. Never Knew Hiram Cronk, and It's a Long March to Cypress Hills.

Considerable dissatisfaction was ex ressed by officers and men of the "Fighting" Fourteenth Regiment of Brooklyn last night on the receipt of orders calling upon the regiment to escort the remains of Hiram Cronk, the last survivor of the War of 1812, to Cypress Hills Cemetery on Thursday morning. The rank and file grumbled loudly. They did not see the honor, and it was a long march from the City Hall in Manhattan to Cypress Hills on top of the loss of a day's pay. It was pointed out that as one

day has already been lost by reason of the shooting at the State range on Saturday last and another must of necessity be given up on Memorial Day May 30, the call for the regiment to act as an escort to the body of a man they have never known and only a few have ever heard of w.s "rubbing it in a little hard."

in a little hard."

Fears were expressed last night that the regiment would make a very poor showing. It was Brig.-Gen. James McLeer, himself at one time a Colonel of the Fourteenth and who lost an arm while serving with the regiment in the civil war, who selected his old command for the honor. He was very much annoyed last night at the criticism end grumbling, and urged Col. Ardolph L. Kline, commandant of the regiment, to ascer-tain the exact sentiment of the regiment, with a view toward ordering out a provi-sional battalion composed of detachments from all the other Brooklyn regiments if the Fourteenth would not make a good

showing.

Col. Eline replied that he was satisfied remond for duty that his command would respond for duty their organization to bring them out.

HOW TO GET A CHAPLAIN Without a Competitive Civil Service Examination.

as a Health Department chaplain at River- steam dumping boats, are to be changed. side Hospital was held up at the instance It was said when the boats were installed of the Municipal Civil Service Commission, on the ground that the Civil Service classification allows the department but one chaplain "in the exempt class"—that is, not subject to a competitive examination for the job—and that the Rev. James Boyle

for the job—and that the Rev. James Boyle holds the one chaplainey.

Whereupon the Board of Health appointed the Rev. Mr. Jones a hospital clerk at \$600 a year and assigned him to Riverside Hospital as before.

So far as is remembered at the City Hall, there has never been a competitive exthere has never been a competitive ex-

Miss Kathleen J. McShane's Engagement. ALBANY, May 16 .- The engagement of Miss Kathleen Josephine McShane, daughter of the Hon. James McShane of Montreal, to William H. Buckley of Albany was an-The marriage. it is understood, is to take place early in June.

An English View of a New York Murder Trial

The New York "Mystery of a Hansom Cab" still elements of the theatrical in it; a well known beautiful chorus girl, the prisoner, Miss Nan Patterson; a bookmaker who was the murdered man and had been the paramour of the actress. Moreover, this was the third rial, the jury having previously twice dis-agreed. Again there has been a disagreement, but there will not be another trial, as the prosecution has determined to do what was done in our similar case of the Peasenhall murder.

Of all the extraordinary incidents in the American

trial the most startling was the assertion point he had no case. If this had happened in time, it would have been a useful instance for Mr. Choate at the Lincoln's Inn dinner the other day to his other points of the difference between American courts and our own.

Cards of Invitation to Church Weddings Improper. From the Church Eclectic

While it is a popular custom to issue cards of in-vitation to attend a church wedding, it is entirely contrary to the teaching understood to be implied by the church edifice. No private family has a right to issue invitation to the "House of God" to witness the performance of a rite within the said House as though for the time being the latter had been given over to them for their own particular use. A wedding in a church is not a private, but rather a public rite, at which any pariabloner who wishes may be present without an invitation from any one. God's House is at all times a public place of worship

English Diplomacy and American High Prices.

From London Truth.
The cost of living in the United States has so much increased of late years that it has been decided at the Foreign Office to raise the salary of the Am-bassador at Washington by £890 a year, while an additional £200 a year is to be granted to the Coun-cilor, or First Secretary, of the Embassy. To counterbalance this increased outlay, the office of Consul at Zanzibar has been suppressed, thereby saving £800 a year, and the salary of the Agent and Consul-General there has been reduced by £300. The salary of the Resident Commissioner in Rho-

desia has been cut from £2,300 a year to £1,500. Wiles of Mrs. Ulysses.

Penelope was putting off her lovers by unraveling "How foolish!" cried the wise ones. "She merel; gives the impression that she makes her own Thus indeed was the bevy of admirers accounted

To your to ter is

Justice Dugre Uphelds His Ante-Nuptie Agreement With Wife.

Supreme Court Justice Dugro decided yesterday that Mrs. Grace Georgette Dickinson is entitled to the entire estate left by her stepfather, George W. Kidd, under an antenuptial agreement made by Kidd with Mrs. Dickinson's mother, whom he married in 1875, when she was Mrs. Anna Estelle Slocum, a widow.

Kidd's property is believed to amount in value to almost a million dollars, and by a will made in 1884 he divided it among a number of legatees, giving Mrs. Dickinson only a life interest in a part of the residuary

The ante-nuptial agreement was verbal and provided that if Mrs. Slocum would be-come Kidd's wife, her daughter, then 4 years old, should inherit Kidd's whole for-tune. At the time of the marriage Kidd's business affairs were in an unsettled condition, and Mrs. Slocum lent him \$40,000, with which he started afresh, becoming the principal member of the firm of George W. Kidd & Co. He was noted as a yachta-

man and a spiritualist.

The entry of judgment by Justice Dugro in Mrs. Dickinson's favor was really a perfunctory legal proceeding, as the executors of the estate had concluded to recognize the validity of her claim, the fact of the antenuptial agreement being undisputed.

R. T. ROUTES SENT TO ALDERMEN. Their Idea Is to Approve Them, Not to Hold Them Up.

The Aldermen received yesterday from the Rapid Transit Commission the resolutions defining the routes for the new subways in Manhattan. They were referred to the committee on railroads and tunnels Before reporting the resolutions, which must have the consent of the Aldermen as

must have the consent of the Aldermen as the law now stands, the committee must hold a public hearing which must be advertised for ten days.

Should Gov. Higgins delay until after May 29 signing the bill which takes from the Aldermen their franchise granting powers the board can approve of the routes at its meeting on May 29. This course will very likely be adopted. The leaders of the board have informed the Mayor that while they intend to test the constitutionality of the bill they are anxious to avoid delaying the bill they are anxious to avoid delaying the beginning of the new subways and will make the test case on some minor franchise. It is understood that the situation has been explained to the Governor and that he will not act on the bill until the last moment. He has until June 5.

PRESIDENT'S CANDIDATE LOSES. Selection of W. C. Wells as Clerk of Bureau

of American Republics Confirmed. WASHINGTON, May 16 .- At a meeting of the governing board of the Bureau of American Republics to-day, the selection of William C. Wells, a local lawyer, as chief clerk of the bureau was confirmed. To-day's

meeting was peaceful, compared with those which have preceded it when the question of the chief clerkship of the bureau was up. The final selection of Mr. Wells followed the waiving of protests by other candidates who wanted the place. President Roosevelt suggested that Mr. Wells's selection be confirmed. The President's candidate, Alestair. P. Gordon-Cumming. was turned astair P. Gordon-Cumming, was turned down several weeks ago and an effort to have him put in caused the trouble.

REID AT WHITE HOUSE DINNER. He and Mrs. Reid Guests of the President and Mrs. Roosevelt.

WASHINGTON, May 16 .- The President and Mrs. Roosevelt were the hosts at a White House dinner to-night. The decorations were pink and white peonies. The guests were the Russian Ambassador, the German Ambassador, Baroness Speck von Sternburg, the Secretary of the Interior and Mrs. Hitchcock, the Secretary of Commerce and Labor and Mrs. Metcalf, Senator Fora-ker, Mrs. Foraker, Mr. and Mrs. Whitelaw Reid, Mrs. Hobson, Miss Tyler and Mr. von Heyl. von Heyl.

Mr. and Mrs. Whitelaw Reid and Miss Tyler are house guests of the President and Mrs. Roosevelt.

No More Cinderella, Aschenbroedel and

Cenerentola. Aschenbroedel and Cenerentola, bestowed in Col. Waring's time on the city's three that Mrs. Waring had suggested the Cinder-

ella cycle of nomenclature.

The boats have been out of commission for a long time, having developed a habit of getting out of order. It has been a department joke that the names were too much for them. Now \$15,000 will be spent on repairing them, and they will have new names. pairing them, and they will have new names, too, at whose instance is not apparent.

A \$10,000 FERRY SHOUT. Aldermen Vote That Amount to Celebrate Municipalization

The Alderman voted yesterday to appropriate \$10,000 to celebrate the beginning of municipal ownership in this city on the day that the municipal ferry to Staten Island is put into operation. A committee of ten was appointed to spend the money. They haven't got it yet, for the Mayor has

PRESTON-M'AFEE.

Granddaughter of James B. Haggin Married at St. Thomas's Church.

The wedding of Miss Mabel McAfee and Lewis Butler Preston took place at noon yesterday in St. Thomas's Protestant Episcopal Church, Fifth avenue and Fifty-third street. The bride was attended by Mrs Neville Moberley of Lexington, Ky., a sister of Mrs. James B. Haggin, and Miss Lida Burpee of Waterbury, Conn. Williams P Burden and I. Townsend Burden, Jr., cousins Phoenix Ingraham, Henry Rogers Winthrep Doddridge Peet, Jr., and James Ben Al McAfee, all of this city, and Percy Haughton of Boston, Willing Spencer of Philadelphia and Walter L. Cutting of Pittsfield, Mass.

The church was trimmed entirely with apple blossoms. On the pews were bouquets apple blossoms. On the pews were bouquets of them, clusters were massed in the chancel, flanked with palms, and the railings were garlanded with the blossoms.

The Rev. Dr. Ernest M. Stires, the rector of the church, performed the ceremony, and the bride was given away by her grandfather, James B. Haggin, with whom she walked up the aisle.

The bride wore a gown of rich white satin, with skirt made entirely plain and long, rounded train. The waist, arranged with surplice folds, was cut in a low V and filled in with point lace, and there were lace revers and lace sleeves. Sprays of orange blossoms secured the point lace veil, and she carried a shower bouquet of orange blossoms. For ornament she wore a diamond necklace.

After the church ceremony Mr. and Mrs. James B. Haggin gave a reception at their home, 587 Fifth avenue. The front drawing room was trimmed with American Beauty roses and palms.

The bride, who is a tall and handsome young woman, is a California girl. After the death of her father, the late Mr. McAfec, she went to live with her grandfather, James B. Haggin, who is now in his eighty-first year, at his stock farm in Kentucky. When her mother died in Europe a few years ago she came to the New York home of Mr. and Mrs. Haggin.

The bridegroom is a son of the late George Rutedge Preston, and has lived since he was graduated from Harvard University, five years ago, at Tuxedo with his mother, Mrs. Preston, and his eister, his s Alice Preston. of them, clusters were massed in the chancel,

The wedding of Miss Nellie Garrison and James Appleton Wide of Glen Ridge, N. J., took place resterday afternoon at the Renaissance, Fifth avenue and Forty-third street. The bride is a daughter of the late William Frazier Garrison of 512 Fifth avenue. Since his death she and ner mother have passed much firms abred.